



# The NOAA FISHERIES NAVIGATOR

## NOAA Fisheries Service Introduces New Publication



Marjorie Mooney-Seus photo

Beginning this month, the Northeast Regional Office of NOAA Fisheries Service is producing a bi-monthly publication in *Commercial Fisheries News* to better inform the fishing industry and general public about our many activities. NOAA Fisheries Service believes that timely and accurate information is critical to understanding our environment and to the success of any business. This is one of the ways that NOAA Fisheries is delivering news and information.

The *NOAA Fisheries Navigator* will centralize information for readers so they can get updates on a variety of topics that range from regulatory actions to cooperative research to educational opportunities. Information relevant to different marine species, such as multi-species groundfish, tuna, lobster, scallops, whales, and turtles, will be included. We hope also to capture the more personal side of commercial fishing in our region by profiling fishermen, seafood dealers, and others who work in the fishing industry.

We anticipate that you will find this publication informative, useful, and timely. Please direct any questions or comments to our Managing Editor, Olivia Rugo, at [olivia.rugo@noaa.gov](mailto:olivia.rugo@noaa.gov) or (978) 675-2167.

Pat Kurkul  
Regional Administrator  
NOAA Fisheries Service, Northeast Regional Office

- Collect background information on the fishery to be managed;
- May hold public scoping meetings to consider measure options;
- Work with advisory groups to develop and review alternatives;
- Develop documents that analyze alternatives;
- Provide documents to the public for comment (usually through a public hearing process);
- Consider public comments and make changes as appropriate;
- Approve documents with recommended fishery measures; and
- Send final documents to NOAA Fisheries Service for review, approval, and implementation.

### What is the role of NOAA Fisheries Service once it receives Council recommendations?

- NOAA Fisheries Service:
- Reviews the Fishery Management Plans (FMPs) and regulations to make sure they comply with multiple federal laws;
  - Approves, partially approves, or disapproves FMPs or FMP amendments;
  - Implements approved measures, through proposed and final regulations; and
  - Sends disapproved measures back to the Councils for further consideration.

### How does NOAA Fisheries Service turn approved Council fishery measures into federal regulations?

For FMPs, amendments to the FMPs, and proposed rules, NOAA Fisheries develops requirements based on Council actions and then publishes them in the Federal Register to solicit comments from the public. After consideration of these comments, final rules are then developed. These rules contain responses to the public comments and usually are published 30 days prior to the date they go into effect to give the public notice of the regulatory changes.

Also, as part of the federal rulemaking process, proposed measures are analyzed in associated documents that include environmental assessments (EAs) or environmental impact statements (EISs). These documents evaluate potential impacts of the proposed measure on social, cultural, economic, and natural resources. In addition, for measures that may have significant impacts, the public has the opportunity to comment on the EIS through the U.S. Environmental Protection Agency's public review process.

Lastly, for FMPs or amendments that have no implementing regulations, a notice is published in the Federal Register that states which Council-proposed measures have been approved.

### How can you effectively provide comments on a developing fishery measure at the Council?

Councils allow public input into the development of FMPs and amendments at their scoping, committee, and Council meetings. Comment as early in the development process as possible, especially when the

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## Navigating the Council/NOAA Fishery Management Process

The process by which federal regulations are developed and implemented can be confusing. Through this article, we will try to clarify the fishery management process and provide guidance on the best ways to comment on a Regional Fishery Management Council (Council) action.

In the federal fishery management process, the Councils typically recommend fishery management measures to the Secretary of Commerce through NOAA Fisheries Service. NOAA Fisheries Service then approves those actions for implementation if they meet specific federal law requirements. Decisions made by the Councils are not final until they are approved by the Secretary of Commerce and turned into regulations by NOAA Fisheries Service. Council recommendations are implemented by NOAA Fisheries Service for the Exclusive Economic Zone (EEZ), which runs from three miles to 200 miles offshore.

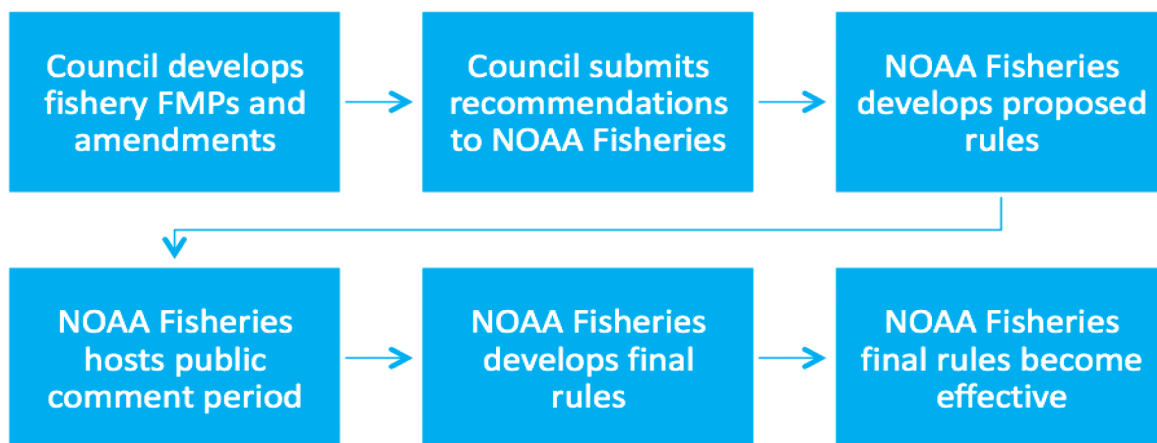
Under certain circumstances, the Secretary of Commerce, through NOAA Fisheries Service, may directly implement federal fishery measures through a Secretarial plan. Secretarial plans are used to manage Atlantic highly migratory species (large tunas, sharks, and billfish) or when Councils are unable to act on a Fishery Management Plan (FMP) or fishery problem in a timely manner. The Secretary also may take emergency or interim action to address emergency situations or to address overfishing.

Many fisheries have significant overlap between state waters, which are those waters shoreward of the EEZ, and federal waters. Therefore, Atlantic coastal states and the Atlantic States Marine Fisheries Commission (ASMFC) play important roles in managing fish stocks that inhabit both state and federal waters.

### How do the Councils develop fishery measures?

The Councils:

### Fishery Regulation Development Process



## THIS SUPPLEMENT PROVIDED BY NOAA FISHERIES SERVICE'S NORTHEAST REGIONAL OFFICE

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measures are first being considered at Council work groups, committees, or advisory groups, and at any Council scoping meetings or hearings on the subject. Let Council staff, Council members, and appropriate committee and advisory groups know your opinions. Talk to the state marine fisheries agency representative and other citizen appointees from your state who are Council members. Express your ideas prior to the time the measures will be formally voted on as alternatives by the Council, and especially prior to the time that the Council takes final action to send the measure forward to NOAA Fisheries Service.

## How can you effectively provide comments during the review of proposed actions by NOAA Fisheries Service?

Be aware of the final action taken on Council recommendations and when a Federal Register notice on a proposed action or rule solicits public comments. NOAA Fisheries Service announces public comment periods in a variety of ways including e-mail notifications, press releases, and web postings. It is important to send in electronic or written comments during the open public comment period. When organizing your comments, be concise and specific on your position. For example, decide if you are for or against an action, then list the reasons for your position and offer any alternative actions that could be taken.

In some cases, after a Council-proposed action is turned into regulations, NOAA Fisheries Service may hold public informational meetings on its implementation. The new regulations also will be on the NOAA Fisheries Northeast Region website and all affected permit holders will be notified in writing of all changes.

## Who should you contact if you are concerned about a proposed Council recommendation that affects both state and federal waters?

When proposed measures are under development, make state marine fisheries agency, ASMFC, Council, and federal personnel aware of your concerns and comments. You should check with your state marine fisheries agency and the ASMFC to see if any complementary state actions to the Council's recommendation are being developed and comment on those actions through the state's and the ASMFC's fishery management processes.

## What states are represented by the two Northeast Councils?

New England Council: Maine, New Hampshire, Massachusetts, Rhode Island, and Connecticut.

Mid-Atlantic Council: New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, and North Carolina.

## What websites will help you track Northeast Council and/or federal fishery management actions?

The New England Council - <http://www.nefmc.org>  
The Mid-Atlantic Council - <http://www.mafmc.org>  
The NOAA Fisheries Northeast Region - <http://www.nero.noaa.gov/nero>

The Federal Register - <http://www.gpoaccess.gov/fr/index.html>

Regulations.gov - <http://www.regulations.gov/search/Regs/home.html#>

Commercial Fisheries News - <http://www.fish-news.com/cfn/>

## Fisheries Reporting: A critical component of successful management

Vessel owners and dealers are both bound by reporting requirements that can seem burdensome. However, accurate and timely reporting through Vessel Trip Reports (VTRs), dealer, and other reports is critical for a number of reasons.

Landings data are a vessel's legacy and establish its fishing history. A vessel's fishing history is often the basis for determining its eligibility for catch allocations and some permits. Recently, the New England and Mid-Atlantic Fishery Management Councils used a vessel's landings history to qualify and determine catch allocations in the scallop, tilefish, and New England multispecies fisheries. So, generating an accurate fishing history is one of the most important reasons for fishermen to report accurately and in a timely way, particularly as it is safe to assume that landings histories will continue to be used to determine a vessel's future fishing opportunities.

In addition, the information reported by fishing vessels and seafood dealers is one of the cornerstones for stock assessments, economic impact research, and many other studies conducted by NOAA Fisheries, academia, and the fishing industry itself. These reports form the basis of fishery management plans and regulations by which fishermen must operate.

### Vessel Trip Reports

VTRs provide basic information about each fishing trip, the gear being used, where fishing took place, and the catch. Two very important pieces of information from the VTRs must be provided to the seafood dealer: the VTR serial number and the vessel permit number. These numbers link the landings to a specific fishing trip by a permitted vessel and help to ensure that the vessel is credited with the correct amount of landings.

The VTR also is the only record of where fishing actually took place. This is especially important in attributing landings of some species such as cod, haddock, or yellowtail flounder to stock areas such as Gulf of Maine, Georges Bank, or Southern New England and monkfish to the Northern or Southern Management Areas. The VTR serial number also links the dockside biological samples collected by field staff, the onboard observer reports, and vessel monitoring records to a specific trip. The VTR serial number is the common thread that ties all the reports back to the correct fishing trip. The

**Landings data are a vessel's legacy and establish its fishing history.**

dealer landings report complements the VTR and is the definitive source of information about the landings for each fishing trip. However, for proper accounting to occur, it must be linked to the VTR through the serial number.

NOAA Fisheries Service is testing electronic reporting programs that can be used on board a fishing vessel to enable fishermen to complete and submit their VTRs electronically. This electronic reporting, which would eliminate the need for sending in a paper VTR, will be ready for use on a limited scale in May 2011.

### Fish-on-Line

NOAA Fisheries Service is looking at ways to simplify reporting and to reduce or eliminate the need to file paper reports. Recently, NOAA Fisheries Service created an Internet portal called Fish-on-Line. At this site, fishing vessel permit holders who know they won't be fishing for a reporting period (weekly or monthly depending on the permit) can submit reports up to three months in advance, eliminating the need to submit non-fishing paper reports. Fish-on-Line also provides access to the last six months of VTRs submitted and links them to the dealer landings reports. This is like a bank account balance statement and becomes the official record of landings for a vessel and permit. Vessel owners are

encouraged to review their catch histories and compare their records (VTRs) against those reported by dealers. Vessel owners can obtain their data by accessing it through the Fish-on-Line website at <https://www.nero.noaa.gov/NMFSlogin> and by contacting the Fishery Statistics Office at (978) 281-9133 or <[FSO.Data.Requests@noaa.gov](mailto:FSO.Data.Requests@noaa.gov)>.

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# Northeast Region Funds State-Operated Permit Banks

The Northeast Regional Office of NOAA Fisheries Service recently established partnerships with the states of Maine, Massachusetts, New Hampshire, and Rhode Island to fund and operate permit banks in each state. These permit banks are supported through \$6 million in grant funding and will be the first NOAA-funded, state-operated permit banks in the region.

A permit bank is a collection of fishing permits held by an organization for the purpose of leasing out the fishing opportunities associated with those permits. The primary purpose of this permit bank program is to help minimize the impacts of the transition to catch-share management in the Northeast groundfish fishery.

Each state is currently developing its program and will use grant funding to obtain fishing vessel permits. The permits' associated fishing opportunities, in the

form of days-at-sea and annual catch entitlement (ACE), will be used to provide assistance to small-scale fishing operations and small or rural communities.

The permit banks will provide assistance by:

- Purchasing commercial fishing vessels and permits;
- Providing groundfish ACE to sectors and sector members that meet certain criteria;
- Contributing additional days-at-sea to fishing vessels in both the common pool (for cooperative research) and sectors (for monkfish and skates);
- Enabling owners of fishing vessels with limited or no groundfish fishing history to obtain additional fishing days or allocation.

Contact your state representative noted at right for information on selling your vessel or permit to a permit bank.

State of Maine  
Trisha Cheney De Graaf  
(207) 624-6554  
<trisha.degraaf@maine.gov>

State of New Hampshire  
Cheri Patterson  
(603) 868-1095  
<cheri.patterson@wildlife.nh.gov>

Commonwealth of Massachusetts  
Melanie Griffin  
(617) 626-1528  
<melanie.griffin@state.ma.us>

State of Rhode Island  
Mark Gibson  
(401) 423-1935  
<mark.gibson@dem.ri.gov>

## Reminder of Harbor Porpoise Regulations

*These tables describe current Harbor Porpoise Take Reduction Plan (HPTRP) regulations. If harbor porpoise bycatch exceeds a specific amount for two consecutive seasons within certain management areas\*, additional seasonal area closures may be necessary.*

*For more information on HPTRP regulations, visit [www.nero.noaa.gov/hptrp](http://www.nero.noaa.gov/hptrp) or call NOAA Fisheries Service's Protected Resources Division at (978) 281-9328.*

### Northeast Gillnet Fisheries (All)

Area	Dates	Restrictions
Northeast Closure Area	August 15- September 13	Closure
Mid-Coast Management Area*	September 15- May 31	Pingers Required
Massachusetts Bay Management Area*	November 1- February 28/29	Pingers Required
Massachusetts Bay Management Area*	March 1-31	Closure
Massachusetts Bay Management Area*	April 1- May 31	Pingers Required
Stellwagen Bank Management Area*	November 1- May 31	Pingers Required
Southern New England Management Area*	December 1- May 31	Pingers Required
Cape Cod South Closure Area	March 1-31	Closure
Offshore Management Area	November 1- May 31	Pingers Required
Cashes Ledge Closure Area	February 1-28/29	Closure

### Mid-Atlantic Gillnet Fisheries (Large & Small Mesh)

Area	Dates Gear Modifications Required	Dates Gillnet Closure
<b>Large Mesh Gillnet (Mesh Size 7-18 inches)</b>		
Waters off New Jersey Management Area	Jan. 1- March 31; April 21- April 30	April 1- April 20
Mudhole North Management Area	Jan. 1- Feb. 14; March 16- March 31; April 21- April 30	Feb. 15- March 15; April 1- April 20
Mudhole South Management Area	Jan. 1- Jan. 31; March 16- March 31; April 21- April 30	Feb. 1- March 15; April 1- April 20
Southern Mid-Atlantic Management Area	Feb. 1- Feb. 14; March 16- April 30	Feb. 15- March 15
<b>Small Mesh Gillnet (Mesh Size &gt;5 inches to &lt; 7 inches)</b>		
Waters off New Jersey Management Area	Jan. 1- April 30	
Mudhole North Management Area	Jan. 1- Feb. 14; March 16- April 30	Feb. 15- March 15
Mudhole South Management Area	Jan. 1- Jan. 31; March 16- April 30	Feb. 1- March 15
Southern Mid-Atlantic Management Area	Feb. 1- April 30	-



## **NOAA Fisheries Service Cooperative Research Funds \$3 Million Bycatch Reduction Network for Northeast and Mid-Atlantic Fisheries**

In 2010, the NOAA Fisheries Service Northeast Cooperative Research Program (NCRP) awarded more than \$3 million to support the development of a conservation engineering and information technology network. This network brings together fishing industry, academic, and state and federal government partners to develop multi-disciplinary approaches to conservation engineering in Northeast and Mid-Atlantic fisheries.

A recently expanded definition of conservation engineering includes the development of fishing technologies to conserve target and non-target species, the study of fish behavior, and techniques to minimize bycatch while promoting the efficient harvest of target species. These approaches include gear design and operation, as well as analyses of fish distribution and environmental factors. New information technology tools, such as enhanced mapping and communication methods, will help fishermen reduce bycatch.

### **New Research**

The 2010 NCRP awards bring together more than 80 individuals from 35 organizations to design fishing gear that will improve the industry's ability to avoid certain stocks so healthier stocks can be fully harvested. Studies also will focus on patterns of fish distribution, environmental factors, and the real-time exchange of detailed information to identify bycatch hot spots so that fishermen can avoid these as well.

Regional research teams will share resources for developing and transferring new gear, information, and operating practices to the industry. Project participants include fisherman and gear manufacturers who will provide ideas, at-sea expertise, and guidance on larger scale testing of the most promising new gear designs. These teams initially will focus on small mesh fisheries, including squid in Southern New England and the Mid-Atlantic and redfish in the Gulf of Maine, and large mesh groundfish fisheries in which concerns about bycatch are priorities.

"The goal is to measurably improve gear selectivity and support the industry in avoiding critical stocks with low annual catch limits (choke stocks)," said program Director John Hoey. "We must encourage broader fishing industry engagement in the planning and implementation of bycatch research to ensure that their highest priorities are addressed and the most promising new gear and technological tools are delivered to the industry in the shortest time possible to help maximize their catch."

### **Ongoing Research**

The current projects build on 2009 awards that provided \$1 million to investigate shrimp, whiting, and drop chain net designs and to evaluate codend catch sensors and a topless flatfish net for turtle bycatch reduction. Funds that were available in 2009 /2010 are further supporting the analysis of fixed gear survey data for scup, an evaluation of the Rhode Island State Fluke Sector, and a fixed-gear

survey for Atlantic wolfish.

Cooperative research activities directed by the Northeast Fisheries Science Center include a \$1.3 million trawl survey sweep study to address flounder and skate assessment questions, as well as \$3.5 million for contracts to enable study fleet vessels to increase fine-scale catch and effort information, the collection of data for age, growth, and maturity studies, conservation engineering project support, and dogfish tagging to address stock boundary and age and growth questions.

In addition, 2009/2010 NCRP funding provided \$3.5 million to the Commercial Fisheries Research Foundation and \$1.5 million to the Northeast Consortium to sponsor research competitions that have already resulted in 17 additional collaborative projects.

For more information on cooperative research partners and projects, go to <http://www.nero.noaa.gov/StateFedOff/coopresearch>.



*Fisherman Chris Roebuck demonstrating an experimental bycatch reduction device for use in the squid fishery.*

## **Upcoming Multispecies Regulation Changes and Pollock Emergency Extension:**

- The Eastern Area U.S./Canada Haddock Special Access Program (SAP) season ends December 31, 2010 for all multispecies vessels;
- The Closed Area I Hook Gear Haddock SAP season ends January 31, 2011 for all multispecies vessels;
- Recreational vessels are prohibited from possessing Gulf of Maine cod from November 1, 2010 - April 15, 2011; and
- The duration of the emergency rule that set revised catch limits for pollock for fishing year 2010 has been extended through April 2011.

### **Separator Trawls Reporting Reminder**

Bottom trawling vessels should report using the following Vessel Trip Reports gear codes when fishing with separator trawls:

- Ruhl trawl = OTR
- Haddock separator trawls = OHS

For additional information, see the April 3, 2009, permit holder letter at <http://www.nero.noaa.gov/nero/nr/nrdoc/10/10NewTrawlGearCodesVTR.pdf>.

### **Sector Captains May Need Updated Letter of Authorization**

In December 2010, NOAA Fisheries Service published a final rule in the Federal Register adding exemptions to previously approved Northeast multispecies sector operations plans for fishing year (FY) 2010. Exemptions added through this rule are expected to become effective in January 2010 at the latest. Due to the addition of new exemptions to some

sector operations plans, sector captains may need to get an updated FY 2010 Letter of Authorization. This document may be obtained from their sector managers and will include their sector's new exemptions.

### **Proposed Sectors for Fishing Year 2011 (May 1, 2011-April 30, 2012)**

The deadline for FY 2011 sector operations plans and membership rosters has passed. The deadline to join a sector was extended to December 1, 2010 in response to an industry request. NOAA Fisheries Service received 22 operations plans that propose 16 active and six lease-only sectors, including four state-run permit banks. Seventeen of the sectors proposed are carried over from FY2010 and the establishment of five new sectors is contingent upon approval of Framework 45 to the federal groundfish plan.

A total of 821 NE multispecies permits enrolled in sectors for FY 2011, with 654 permits remaining in the common pool. The number of permits that enrolled in sectors does not include permits that may be bought by a state permit bank. Also, the number of permits enrolled could decrease since permit holders have the option, unless otherwise specified in a sector's operations plan, to drop out of a sector by April 30, 2011 and fish in the common pool. The proposed rule for approving FY 2011 sector operations is scheduled to publish in the Federal Register at the end of December 2010 with a 30-day comment period to follow.

For more information, contact NOAA Fisheries Service's Sustainable Fisheries Division at (978) 281-9315.